

SENATE BILL 2597

By Norris

AN ACT to amend Tennessee Code Annotated, Title 4; Title 5; Title 6; Title 8; Title 9; Title 10; Title 11; Title 12; Title 13; Title 16; Title 17; Title 18; Title 29; Title 33; Title 36; Title 37; Title 38; Title 39; Title 40; Title 41; Title 43; Title 45; Title 47; Title 48; Title 49; Title 50; Title 53; Title 54; Title 55; Title 56; Title 57; Title 58; Title 59; Title 60; Title 62; Title 63; Title 64; Title 65; Title 66; Title 67; Title 68; Title 69; Title 70 and Title 71, relative to statutory revisions required for implementation of the annual appropriations act.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 9-1-103(a), is amended by deleting the period at end of the subsection and adding the following:

; provided, however, that any provision of law authorizing an agency, board, or entity to sue or be sued shall not constitute a waiver of sovereign immunity.

SECTION 2. Tennessee Code Annotated, Section 9-1-103(b), is amended by deleting the period at end of the subsection and adding the following:

; provided, however, that any provision of law authorizing an institution or program of higher education to sue or be sued shall not constitute a waiver of sovereign immunity.

SECTION 3. Tennessee Code Annotated, Section 9-4-5113(b), is amended by inserting the language, "attorney general and reporter," after the language "state court system,".

SECTION 4. Tennessee Code Annotated, Title 12, Chapter 2, Part 1, is amended by adding the following section:

12-2-122. Notwithstanding any provision of law to the contrary, proceeds from the sale and conveyance of surplus real property or improvements used for state forestry

or other operations of the department of agriculture, if not managed as state office buildings and support facilities revolving fund property, shall be deposited in a reserve for forestry facilities, which hereby is created in the general fund, to be used for capital outlay for replacement facilities of the department and other capital outlay of the department.

SECTION 5. Tennessee Code Annotated, Section 4-3-1016, is amended in subsection (d) by deleting the word “and” after the date “2010” and inserting the language “and June 30, 2014” immediately after the date “2011”.

SECTION 6. Tennessee Code Annotated, Section 67-5-701(a), is amended by deleting the subsection in its entirety and inserting the following language instead:

(a) The state board of equalization, through the division of property assessments, shall be charged with the implementation of §§ 67-5-702 – 67-5-704, including the allocation of appropriations specifically appropriated for the implementation of this section. The comptroller of the treasury, or the comptroller's designee, shall determine the method of implementation and allocation.

SECTION 7. Tennessee Code Annotated, Section 67-5-701(e), is amended by adding the following new subdivision:

(3) The costs of the property tax relief program shall be subject to annual appropriations.

SECTION 8. Tennessee Code Annotated, Section 8-7-105(a), is amended by deleting the subsection in its entirety and substituting instead the following language:

(a) On September 1, 2014, the salary for district attorneys general shall be one hundred forty-eight thousand five hundred five dollars (\$148,505) per annum.

SECTION 9. Tennessee Code Annotated, Section 8-7-105(b), is amended by deleting the language “September 1, 2006” and substituting instead “July 1, 2015”.

SECTION 10. Tennessee Code Annotated, Section 8-23-103, is amended by deleting the section in its entirety and substituting instead the following language:

(a) Chancellors, circuit court judges, and criminal court judges shall receive an annual base salary of one hundred seventy thousand two hundred four dollars (\$170,204), effective September 1, 2014.

(1) Commencing July 1, 2015, and on each July 1 thereafter, the annual base salary of chancellors, circuit court judges, and criminal court judges shall increase, but not decrease, by an amount determined by the percentage change in the consumer price index and calculated in accordance with subdivision (ii).

(2) On July 1, 2015, the base salaries fixed in this subsection (a) shall be adjusted in accordance with the formula contained in § 8-23-101 (d)(3) reflecting the percentage of change between calendar year 2013 and calendar year 2014. Each succeeding July 1, a similar adjustment shall be made based upon the percentage of change in the average consumer price index between the two (2) calendar years preceding July 1 of the year in which the adjustment is made. However, no reduction shall be made by way of adjustment on account of any decrease in the average consumer price index between two (2) successive calendar years. No adjustment provided for herein shall exceed five percent (5%) per annum.

(b) Commencing July 1, 2016, the annual base salary of chancellors, circuit court judges, and criminal court judges determined in accordance with subsection (a) shall increase by an additional amount equal to five thousand dollars (\$5,000).

(c) Commencing July 1, 2018, the annual base salary of chancellors, circuit court judges, and criminal court judges determined in accordance with subsection (a) shall increase by an additional amount equal to five thousand dollars (\$5,000).

(d) Commencing July 1, 2020, the annual base salary of chancellors, circuit court judges, and criminal court judges determined in accordance with subsection (a) shall increase by an additional amount equal to five thousand dollars (\$5,000).

(e) In each instance of an increase in the annual base salary of chancellors, circuit court judges, and criminal court judges and on the effective date of that increase, the following shall occur:

(1) Each judge of the court of appeals and the court of criminal appeals shall receive an annual adjusted base salary that is five thousand dollars (\$5,000) in excess of that received by the trial judges;

(2) The presiding judge of the court of appeals and the presiding judge of the court of criminal appeals shall each receive an annual adjusted base salary that is two thousand five hundred dollars (\$2,500) in excess of that received by each judge of the court of appeals and the court of criminal appeals;

(3) Each justice of the supreme court shall receive an annual adjusted base salary that is ten thousand dollars (\$10,000) in excess of that received by trial judges; and

(4) The chief justice of the supreme court shall receive an annual adjusted base salary that is five thousand dollars (\$5,000) in excess of that received by the other justices of the supreme court.

SECTION 11. If any provisions of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 12. Section 8 through 10 of this act shall take effect on September 1, 2014, the public welfare requiring it. All remaining sections of this act shall take effect upon becoming law, the public welfare requiring it.